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Wynn Las Vegas, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RIGOBERTO TORRES,

Plaintiff,

vs.

WYNN LAS VEGAS, LLC, a Nevada Limited
Liability Company; DOES I-X; ROE
BUSINESS ENTITIES I-X,

Defendants.

Case No. 2:22-cv-00999-CDS-DJA

**STIPULATION TO EXTEND
DISCOVERY**

(FIRST REQUEST)

Plaintiff Rigoberto Torres (“Plaintiff”), through his counsel Kemp & Kemp, and Defendant Wynn Las Vegas, LLC (“Defendant”), through its counsel Jackson Lewis P.C., hereby stipulate and agree to extend the discovery remaining and related deadlines for ninety (90) days. This is the parties’ first request for an extension.

A. Discovery Completed to Date.

To date, the parties have exchanged initial disclosures of documents and witnesses pursuant to FRCP 26(a)(1). Defendant has also propounded written discovery including interrogatories and requests for production.

B. Discovery Which Still Needs to Occur.

Defendant intends to depose Plaintiff and serve third party subpoenas. Plaintiff also intends to take FRCP 30(b)(6) depositions. The parties may also want to exchange additional discovery requests, serve additional subpoenas for documents, and depose other witnesses.

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1 **C. Good Cause Supports this Request.**

2 Good cause supports the parties' request to extend discovery deadlines. The parties'
3 respective counsel has experienced scheduling and/or health issues which have prevented the
4 parties from completing discovery. Plaintiff's counsel had to prepare for and conduct a trial from
5 November 7-11, 2022 and was therefore unable to complete discovery for most of October and
6 November. He was also out of town for nine days over Thanksgiving and has been required to
7 appear out of town for other matters. Further, Defendant's counsel has experienced ongoing
8 health issues since returning to work after surgery in August, which has limited counsel's
9 availability for depositions and discovery, and is currently ill. In light of Plaintiff's counsel's
10 schedule, Defendant's counsel's health, the upcoming holiday season, and the time and
11 preparation required for depositions, the parties are unable to complete depositions and serve all
12 subsequently necessary written discovery in the time remaining.

13 **D. Proposed Schedule for Completing Remaining Discovery.**

14 **Discovery Cut-Off Date** – The December 21, 2022, discovery cut-off date shall be
15 extended to March 21, 2023.

16 **Dispositive Motions** – The January 20, 2023, dispositive motions deadline shall be
17 extended to April 20, 2023.

18 **Pretrial Order** – If no dispositive motions are filed, the Joint Pretrial Order shall be filed
19 thirty (30) days after the date set for the filing of the dispositive motions. In the event dispositive
20 motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30)
21 days after the decision on the dispositive motions or by further order of the Court.

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1 This stipulation and order is sought in good faith and not for the purpose of delay.

2 Dated this 30th day of November, 2022.

3 KEMP & KEMP, ATTORNEYS AT LAW

JACKSON LEWIS P.C.

4 /s/ James P. Kemp

/s/ Deverie J. Christensen

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7 *Attorney for Plaintiff*

Attorneys for Defendant
Wynn Las Vegas, LLC

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10 **ORDER**

11 IT IS SO ORDERED:

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14 DANIEL J. ALBREGTS
15 UNITED STATES MAGISGTRATE JUDGE

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DATED: 12/2/2022